

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT  
BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, et al.,

Debtors.<sup>1</sup>

PROMESA

Title III

Case No. 17-BK-3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT  
BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO ELECTRIC POWER AUTHORITY,

Debtor.

PROMESA

Title III

Case No. 17-BK-4780-LTS

(Jointly Administered)

THE FINANCIAL OVERSIGHT AND MANAGEMENT  
BOARD FOR PUERTO RICO,

Plaintiff,

v.

HON. PEDRO PIERLUISI, in his official capacity as Governor  
of Puerto Rico,

Defendant

Adv. Proc. No. 24-00062-LTS

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<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17- BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17- BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

And

SENATE OF PUERTO RICO, through Hon. José Luis Dalmau,  
in his official capacity as President of the Senate of Puerto Rico,

Intervenor - Defendant

**SECOND MOTION FOR JOINDER OF AMICUS CURIAE FILED BY  
DIVERSE ENTITIES IN SUPPORT OF THE GOVERNOR’S  
OPPOSITION TO FINANCIAL OVERSIGHT AND MANAGEMENT  
BOARD FOR PUERTO RICO’S MOTION FOR SUMMARY  
JUDGEMENT AND THE SENATE’S OPPOSITION TO PLAINTIFF’S  
MOTION FOR SUMMARY JUDGEMENT**

**TO THE HONORABLE COURT:**

**COME NOW**, SMA America and Sol-Ark, LLC by through undersigned counsel, and respectfully move this Court for leave to join as *Amicus Curiae* in the brief filed by Puerto Rico Solar Energy Industries Association Corp, (“Solar & Energy Storage Association” or “SESA-PR”), Puerto Rico Conservation Trust (“*Para La Naturaleza*”), Mechanical Contractors Association of PR, Earthspark International Corp., Grid Alternatives, Acadia Center, IREC Puerto Rico, Solar Energy Industries Association (“SEIA”), Power Solar, Bright Ops, Carpe Diem Developers PR, Freedom Forever, SolarEdge Technologies Inc., Enphase Energy Inc., Bright Panel Solar, Teksol Integration Group, Inc., Astrawatt Solar and EDPR North America (“EDPR NA DG”), a diverse group of non-profit organizations and for-profit entities (hereinafter, “the Diverse Entities” or “*Amici Curiae*”), (“the Diverse Entities”) on October 30, 2024, in support of the Governor’s and the Senate’s Oppositions to the Financial Oversight and Management Board’s (“FOMB”) Motion for Summary Judgment.

1. On October 30, 2024, the Diverse Entities sought leave to file an *Amicus Curiae* brief in support of the Governor's and the Senate's Opposition to the FOMB's Motion for Summary Judgments, simultaneously tendering their *Amicus Curiae* brief.

2. SMA America and Sol-Ark seek to join the *Amicus* brief filed by the Diverse Entities because they support the positions articulated therein and can offer further clarity on issues relevant to the subject matter of the case.

3. The joinder of SMA America and Sol-Ark with the Diverse Entities will prevent unnecessary duplication and streamline the *Amicus* process, conserving judicial resources while providing the Court with a consolidated presentation of the shared interests and arguments relevant to the issues in this case.

4. For the foregoing reasons, SMA America and Sol-Ark respectfully request that this Court grant its motion for joinder in the *Amicus* brief filed by the Diverse Entities and allow them to participate as *Amicus Curiae* in support of the Governor's and the Senate's Opposition to the FOMB's Motion for Summary Judgments.

**WHEREFORE**, SMA America and Sol-Ark request this Court to allow them to join the Diverse Entities as an *Amicus Curiae* in this case.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this October 30th, 2024.

#### **CERTIFICATE OF SERVICE**

I hereby certify that on this same date we electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all

participants and Standard Parties. A courtesy copy of this motion will be delivered to the Court by email to [SwainDPRCorresp@nysd.uscourts.gov](mailto:SwainDPRCorresp@nysd.uscourts.gov) as provided in Third Amended Standing Order.

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